

PCT / CA 99 / 00735

090762232

SEPTEMBER 1999 (02-09-99)

REC'D 21 SEP 1999

WIPO PCT

CA99/735 4

PA 136604

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:
UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

August 19, 1999

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM
THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK
OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT
APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A
FILING DATE UNDER 35 USC 111.

APPLICATION NUMBER: 60/095,440

FILING DATE: August 05, 1998

PRIORITY DOCUMENT
SUBMITTED OR TRANSMITTED IN
COMPLIANCE WITH
RULE 17.1(a) OR (b)



By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS

H. Phillips
H. PHILLIPS

Certifying Officer

Please type a plus sign (+) inside this box ☐

Docket Number:

82223-272

PROVISIONAL APPLICATION FOR PATENT COVER SHEET (Small Entity)

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53 (c).

INVENTOR(S)/APPLICANT(S)					
Given Name (first and middle [if any])	Family Name or Surname	Residence (City and either State or Foreign Country)			
Corraine	Mignault	Winnipeg Manitoba Canada			
<input type="checkbox"/> Additional inventors are being named on page 2 attached hereto					
TITLE OF THE INVENTION (280 characters max)					
LOTION					
CORRESPONDENCE ADDRESS					
Direct all correspondence to:					
<input type="checkbox"/> Customer Number		<div>Place Customer Number Bar Code Label here</div>			
OR					
<input checked="" type="checkbox"/> Firm or Individual Name		ADE & COMPANY			
Address		1700-360 Main Street			
Address					
City	Winnipeg	State	Manitoba	ZIP	R3C 3Z3
Country	Canada	Telephone	204-947-1429	Fax	204-942-5723
ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification	Number of Pages	16	<input checked="" type="checkbox"/> Small Entity Statement		
<input type="checkbox"/> Drawing(s)	Number of Sheets		<input type="checkbox"/> Other (specify)		
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT (check one)					
<input checked="" type="checkbox"/> A check or money order is enclosed to cover the filing fees				FILING FEE AMOUNT	
<input type="checkbox"/> The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number:		01-0310		\$75.00	
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.					
<input type="checkbox"/> Yes, the name of the U.S. Government agency and the Government contract number are:					

Respectfully submitted,

SIGNATURE

Date

08/04/1998

TYPED or PRINTED NAME Adrian D. Battison

REGISTRATION NO.
(if appropriate)

31,726

TELEPHONE

204-947-1429

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

SEND TO: Box Provisional Application, Assistant Commissioner for Patents, Washington, DC 20231

LOTION

The present invention relates generally to the field of skin care and therapeutic lotions.

5 BACKGROUND OF THE INVENTION

At present, there is a trend in society away from chemical or synthetic pain relievers due to growing concerns about side-effects, long-term effects and dependency. However, individuals continue to experience the aches and pains associated with daily life, such as, scrapes, cuts, muscle pulls, spasms and sprains.

10 Furthermore, there are also many individuals who suffer from pain, swelling and/or inflammation caused by conditions such as psoriasis; shingles; boils; cold sores; burns; sunburns; menstrual bloating; menstrual cramps; foot pain; acne; eczema; rosacea; dermatitis; insect bites; cancer treatments and arthritis, to name a few. Clearly, a lotion composed of natural ingredients that could be used to treat all of
15 these ailments is needed.

SUMMARY OF THE INVENTION

According to a first aspect of the invention, there is provided a topical lotion for relieving pain, swelling or inflammation comprising:

20 the active ingredient consisting of oatstraw; and
water.

Preferably, the water is filtered/magnetized water.

Preferably, the lotion includes glycerine and the glycerine is vegetable

glycerine.

Preferably, the topical lotion includes lavender oil.

The topical lotion may include fern extract.

Preferably, the topical lotion consists essentially of:

- 5 50-75% oatstraw concentrate;
 25-50% glycerine; and
 0.1-0.2% lavender oil.

More preferably, the topical lotion consists essentially of:

- 10 75% filtered oatstraw concentrate in filtered/magnetized water;
 25% vegetable glycerine; and
 0.1% lavender oil.

According to a second aspect of the invention, there is provided a method of treating pain, swelling or inflammation comprising:

providing a topical lotion the lotion consisting essentially of:

- 15 50-75% oatstraw concentrate;
 25-50% glycerine; and
 0.1-0.2% lavender oil; and

applying the lotion topologically to inflamed, painful or swollen areas.

- 20 Preferably, the pain, swelling or inflammation is caused by a condition
selected from one of the following: psoriasis; leprosy; skin poisoning from plants,
shingles; chicken pox; measles; boils; cold sores; burns; sunburns; menstrual
bloating; menstrual cramps; foot pain; acne; eczema; rosacea; dermatitis; insect bites;
herniated discs; back and/or leg spasms; sore or damaged muscles, ligaments and

tendons; bruising; cancer treatments and arthritis.

According to a third aspect of the invention, there is provided a method of preventing hair loss comprising:

providing a topical lotion the lotion consisting essentially of:

- 5 50-75% oatstraw concentrate;
 25-50% glycerine; and
 0.1-0.2% lavender oil; and

applying the topical lotion to the scalp of an individual, thereby stopping hair loss.

10 According to a fourth aspect of the invention, there is provided a method of promoting hair growth comprising:

providing a topical lotion consisting essentially of:

- 50-75% oatstraw concentrate;
 25-50% glycerine; and
15 0.1-0.2% lavender oil; and

applying the topical lotion to the scalp of an individual, thereby promoting hair growth.

According to a fifth aspect of the invention, there is provided a method of relieving headache pain comprising:

20 providing a topical lotion consisting essentially of:

- 50-75% oatstraw concentrate;
 25-50% glycerine; and
 0.1-0.2% lavender oil; and

applying the lotion topologically to the forehead and neck of the individual, thereby relieving headache pain.

According to a sixth aspect of the invention, there is provided a facial cleanser comprising:

5 a lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

10 a suitable carrier. It is of note that the carrier may constitute any of the suitable carriers known in the cosmetics industry.

According to a seventh aspect of the invention, there is provided a cosmetic composition comprising:

a lotion consisting essentially of:

50-75% oatstraw concentrate;

15 25-50% glycerine; and

0.1-0.2% lavender oil; and

a suitable carrier. It is of note that the carrier may be any suitable carrier known in the cosmetic industry.

20 According to an eighth aspect of the invention, there is provided a method of inducing a deeper sleep in an individual comprising:

providing a topical lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

applying the lotion topologically to the soles of the feet of the individual.

According to a ninth aspect of the invention, there is provided a laundry additive comprising:

- 5 a mixture consisting essentially of:
- 50-75% oatstraw concentrate;
 - 25-50% glycerine; and
 - 0.1-0.2% lavender oil; and
- a suitable carrier.

- 10 According to a tenth aspect of the invention, there is provided a hair or body product comprising:

- a mixture consisting essentially of:
- 50-75% oatstraw concentrate;
 - 25-50% glycerine; and
 - 15 0.1-0.2% lavender oil; and
- a suitable carrier.

The body or hair product may be selected from the group consisting of: body washes; shaving creams; shaving gels; shaving lotions; shampoos; conditioners; styling lotions; and styling sprays.

- 20 According to an eleventh aspect of the invention, there is provided a process for preparing a topical lotion comprising:

- providing a quantity of oatstraw;
- providing heated water;

placing the oatstraw in the heated water;

steeping the oatstraw in the heated water, thereby producing an oatstraw mixture;

filtering the oatstraw mixture, thereby producing an oatstraw
5 concentrate; and

mixing the oatstraw concentrate with glycerine and lavender oil, thereby producing a topical lotion.

Preferably, the heated water is filtered/magnetized water.

Preferably, the topical lotion consists essentially of:

10 50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil.

DETAILED DESCRIPTION

15 The present invention is described in detail based on examples; however, the invention is not limited to the examples.

FORMULA EXAMPLE I

20 50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil.

FORMULA EXAMPLE II

75% filtered oatstraw concentrate;

25% vegetable glycerine; and

0.1% lavender oil.

- 5 The oatstraw concentrate is prepared by steeping 5 grams of oatstraw in 4 cups of water (940 ml). In this embodiment, the oatstraw is consumer ready oatstraw (Alvita™ brand) and the water is filtered/magnetized water. It is of note that the oatstraw may be blended and concentrated first to facilitate steeping.

- Specifically, the water is heated in a stainless steel container until hot
 10 and tiny bubbles have formed on the bottom of the container. The dry oatstraw is placed in a heat resistant glass container and the heated water is added to the oatstraw. The oatstraw is mixed into the water and the heat resistant glass container is covered. The mixture is then steeped for approximately 2 hours. During this time, the oatstraw mixture becomes golden yellow in colour. The oatstraw mixture is then
 15 filtered and the filtered solution is the oatstraw concentrate.

The oatstraw concentrate is then mixed with the glycerine and the lavender oil as described above. In this embodiment, the glycerine is vegetable glycerine (Now™ brand) and the lavender oil is Bioforce™ brand. The resulting mixture is then aliquoted into coloured bottles and stored until needed.

- 20 It is of note that in some embodiments, the lotion may include fern extract.

For use, a dropper may be used to remove a quantity of the mixture from a given bottle and used to dispense drops of the mixture onto the afflicted area.

The mixture is then rubbed topologically into the afflicted area, as described below.

In use, topological application of the lotion promotes healing and well-being of an injured area. As a result, the lotion has a variety of uses and applications.

For example, the lotion promotes muscle relaxation and healing.

- 5 Specifically, topological application of the lotion to an injured area facilitates chiropractic adjustments, physiotherapy and massage therapy.

- 10 Furthermore, application of the lotion stops inflammation, pain and/or itching caused by insect bites as well as skin conditions such as, for example, eczema, dermatitis, psoriasis, skin poisoning from plants, shingles, chicken pox; measles; boils, cold sores, acne, rosacea and the like. In addition, the lotion may be used to treat razor burn or nicks or cuts that occur during shaving.

The lotion also provides relief from pain and inflammation resulting from burns, such as, for example, sunburns, scalds, radiation burns and mechanical burns as well as pain and inflammation caused by some cancer treatments.

- 15 Application of the lotion has also been shown to provide relief from pain and inflammation caused by other ailments, such as, for example, arthritis, herniated discs, back and/or leg spasms, foot pain, burning feet (caused by kidney disease); menstrual bloating and/or cramping as well as sore or damaged muscles, ligaments and tendons.

- 20 Application of the lotion promotes capillary repair, for example, fine blood vessels, which in turn means that the lotion can be used to dissipate discoloration caused by bruising and promote healing of bruises.

Furthermore, application of the lotion to the frontal area of the skull, the

base of the skull or the neck area provides relief from headaches and tension.

As noted above, the lotion has been shown to be effective in the treatment of psoriasis. Specifically, the lotion has been shown to prevent hair loss and actually promotes hair re-growth of individuals having psoriasis of the scalp or hair loss caused by diseases such as for example German measles. Thus, in another embodiment of the invention, the lotion is applied topologically to the scalp of an individual to prevent hair loss and promote hair re-growth.

In another embodiment of the invention, the lotion is used to promote deeper, more restful sleep by applying the lotion directly to the soles of the feet of an individual, thereby effecting the receptors located on the soles of the feet and allowing the user to experience a deeper, more restful sleep.

In yet another embodiment of the invention, the lotion may be combined with suitable carriers and other elements known in the art of cosmetics to produce creams and lotions suitable for use for general skin care. The lotion can be used for cleansing and toning skin, removing excess oil and/or sebum, balancing oily and dry skin patches, improving skin texture and smoothness, removing small facial skin bumps, refining pore size, facilitating eye and/or lip make-up application and wearability, enhancing skin colour, evening out skin discolorations as well as using the combination as an anti-wrinkling agent.

In another embodiment of the invention, the above-described lotion is combined with carriers known in the art to produce hair and body cleaning products and the like, for example, shower gels, body gels, soaps, body washes, hair shampoos and conditioners, shaving creams and gels and styling lotions and sprays.

In another embodiment of the invention, the lotion is combined with a suitable carrier and used to remove stains in clothing without damaging the fibres by applying the lotion directly to the stained area of the clothing. In addition, the lotion acts as a bleach by brightening white and coloured clothing. The lotion also acts as a fabric softener. Furthermore, the above-described combination rinses easily and produces a relatively low level of suds, meaning that it is very enviro-friendly.

Thus, as described above, the above-described lotion has many applications and uses.

Since various modifications can be made in my invention as herein above described, and many apparently widely different embodiments of same made within the spirit and scope of the claims without department from such spirit and scope, it is intended that all matter contained in the accompanying specification shall be interpreted as illustrative only and not in a limiting sense.

CLAIMS

1. A topical lotion for relieving pain, swelling or inflammation comprising:
the active ingredient consisting of oatstraw; and
5 water.
2. The topical lotion according to claim 1 wherein the water is filtered/magnetized water.
3. The topical lotion according to claim 2 including glycerine.
4. The topical lotion according to claim 3 wherein the glycerine is
10 vegetable glycerine.
5. The topical lotion according to claim 4 including lavender oil.
6. The topical lotion according to claim 5 including fern extract.
7. The topical lotion according to claim 5 wherein the topical lotion consists essentially of:
15 50-75% oatstraw concentrate;
25-50% glycerine; and
0.1-0.2% lavender oil.
8. The topical lotion according to claim 7 wherein the topical lotion consists essentially of:
20 75% filtered oatstraw concentrate in filtered/magnetized water;
25% vegetable glycerine; and
0.1% lavender oil.
9. A method of treating pain, swelling or inflammation comprising:

6005440-100540

providing a topical lotion the lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

5 applying the lotion topologically to inflamed, painful or swollen areas.

10 10. The method according to claim 9 wherein the pain, swelling or inflammation is caused by a condition selected from one of the following: psoriasis; leprosy; skin poisoning from plants, shingles; measles; chicken pox; boils; cold sores; burns; sunburns; menstrual bloating; menstrual cramps; foot pain; acne; eczema; rosacea; dermatitis; insect bites; herniated discs; back and/or leg spasms; sore or damaged muscles, ligaments and tendons; bruising; cancer treatments and arthritis.

11. A method of preventing hair loss comprising:

providing a topical lotion the lotion consisting essentially of:

50-75% oatstraw concentrate;

15 25-50% glycerine; and

0.1-0.2% lavender oil; and

applying the topical lotion to the scalp of an individual, thereby stopping hair loss.

20 12. The method according to claim 10 wherein the hair loss is caused by psoriasis.

13. A method of promoting hair growth comprising:

providing a topical lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

applying the topical lotion to the scalp of an individual, thereby promoting hair growth.

- 5 14. A method of relieving headache pain comprising:
providing a topical lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

- 10 applying the lotion topologically to the forehead and neck of the
individual, thereby relieving headache pain.

- 15 15. A facial cleanser comprising:

a lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

a suitable carrier.

- 20 16. A cosmetic composition comprising:

a lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

a suitable carrier.

17. A method of inducing a deeper sleep in an individual comprising:
providing a topical lotion consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

applying the lotion topologically to the soles of the feet of the individual.

18. A laundry additive comprising:

a mixture consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

a suitable carrier.

19. A hair or body product comprising:

a mixture consisting essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

0.1-0.2% lavender oil; and

a suitable carrier.

20. The body or hair product according to claim 19 selected from the
group consisting of: body washes; shaving creams; shaving gels; shaving lotions;
shampoos; conditioners; styling lotions; and styling sprays.

21. A process for preparing a topical lotion comprising:

providing a quantity of oatstraw;

providing heated water;

placing the oatstraw in the heated water;

steeping the oatstraw in the heated water, thereby producing an oatstraw mixture;

5 filtering the oatstraw mixture, thereby producing an oatstraw concentrate; and

 mixing the oatstraw concentrate with glycerine and lavender oil, thereby producing a topical lotion.

22. The process according to claim 21 wherein the heated water is
10 filtered/magnetized water.

23. The process according to claim 21 wherein the topical lotion consists essentially of:

50-75% oatstraw concentrate;

25-50% glycerine; and

15 0.1-0.2% lavender oil.

ABSTRACT

A topical lotion for relief from pain, swelling and itch composed of natural ingredients is herein described. The lotion is composed of a mixture of an oatstraw concentrate and glycerine. The lotion is used to treat a variety of skin conditions as well as injuries such as herniated discs, muscle, tendon and ligament pulls and tears. Furthermore, topical application of the lotion to the scalp has been shown to stop hair loss in some instances and in fact promote hair growth. The lotion can also be applied to the soles of the feet as a way of inducing a deeper and more restful sleep in an individual.

965080, 0445605

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (b)) - INDEPENDENT INVENTOR**

Docket No.
82223-272/MRW

Serial No.

Filing Date

Patent No.

Issue Date

Applicant/

Patentee:

Lorraine MIGNAULT

Invention:

LOTION

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above and described in:

- ☒ the specification to be filed herewith.
☐ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern or organization exists.
☐ Each such person, concern or organization is listed below.

***NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Lorraine MIGNAULT

SIGNATURE OF INVENTOR Lorraine Mignault DATE: July 23, 1998

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____

NAME OF INVENTOR _____

SIGNATURE OF INVENTOR _____ DATE: _____